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February 26, 2010

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**VIA ECFS**

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Suite TW-A325
Washington, DC 20554

**Re: Annual 47 C.F.R. § 64.2009(e) CPNI Certification for Virgin Islands Telephone Corporation d/b/a Innovative Telephone EB Docket No. 06-36**

Dear Ms. Dortch:

Virgin Islands Telephone Corporation d/b/a Innovative Telephone, by its attorneys and pursuant to Section 64.2009(e) of the Commission's rules, 47 C.F.R. § 64.2009(e), hereby submits its Annual 47 C.F.R. § 64.2009(e) CPNI Certification and Accompanying Statement for calendar year 2009.

Please contact the undersigned should you have any questions about this submission.

Respectfully submitted,

*/s/ Edgar Class*

Edgar Class
Counsel to Virgin Islands Telephone
Corporation d/b/a Innovative Telephone

cc: Best Copy and Printing, Inc. (FCC@BCPIWEB.com)

Enclosures

**Annual 47 C.F.R. § 64.2009(e) CPNI Certification**

**EB Docket No. 06-36**

E. Clarke Garnett signs this Certificate of Compliance in accordance with Section 222 of the Communications Act of 1934, as amended, 47 U.S.C. § 222, and Section 64.2009 of Title 47 of the Code of Federal Regulations, on behalf of Virgin Islands Telephone Corporation d/b/a Innovative Telephone. This Certification addresses the requirement of 47 C.F.R. § 64.2009 that the company provide both a Certificate of Compliance and a "statement accompanying the certificate" to explain how its operating procedures ensure compliance with 47 C.F.R. §§ 64.2001- 2009. The company adheres to the attached policies, which demonstrate how it is in compliance with federal CPNI rules.

I, E. Clarke Garnett, as an officer of Virgin Islands Telephone Corporation d/b/a Innovative Telephone ("the Company"), and acting as an agent of the Company, certify as follows:

1. I am President and Chief Executive Officer of the Company. My business address is P.O. Box 6100, St. Thomas, USVI 00804.

2. I have personal knowledge: (i) of the facts stated in this Certificate of Compliance, and (ii) that the Company has established operating procedures that are adequate to ensure compliance with the Federal Communications Commission's ("FCC") customer proprietary network information ("CPNI") rules.

3. The Company has established a system by which the status of a customer's approval for use of CPNI, as defined in 47 U.S.C. § 222(h)(l), can be clearly established prior to the use of CPNI. The Company relies on the involvement of its high-level management to ensure that CPNI is not used until a full review of applicable law has occurred.

4. The Company has a training program regarding when employees are authorized to use CPNI, as well as when they are not authorized to use CPNI. Company personnel are prohibited from making any decisions regarding CPNI without first consulting with Vuriley Harris, Customer Service Manager, or Micaele Breton, Compliance Officer. The Company will discipline personnel who make unauthorized use of CPNI.

5. The Company's policy is to maintain records of its own sales and marketing campaigns that use CPNI. The Company likewise maintains records of its affiliates' sales and marketing campaigns that use CPNI. The Company also maintains records of all instances where CPNI was disclosed or provided to third parties, or where third parties were allowed access to CPNI. These records include a description of each campaign, the specific CPNI that was used in the campaign, and the products and services that were offered as a part of the campaign. The Company maintains these records in its offices for a minimum of one year.

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6. The Company's policy is to maintain records of customer approval for use of CPNI, as well as notices required by the FCC's regulations, for a minimum of one year.

7. The Company's policy is to maintain records of a CPNI breach for a minimum of two years. These records will include a description of the steps the company took to prevent the breach, how the breach occurred, the impact of the breach and proof of notification to law enforcement and the customer, if applicable.

8. The Company has a supervisory review process regarding compliance with the FCC's rules relating to protection of CPNI for outbound marketing situations. The purpose of this supervisory review process is to ensure compliance with all rules prior to using CPNI for a purpose for which customer approval is required. Company personnel, prior to making any use of CPNI, must first consult with Ms. Harris or Ms. Breton regarding the lawfulness of using the CPNI in the manner contemplated. In deciding whether the contemplated use of the CPNI is proper, either Ms. Harris or Ms. Breton consults one or more of the following: the Company's own compliance manual, the applicable FCC regulations, the FCC's Compliance Guide, and if necessary, legal counsel. The Company's sales personnel must obtain supervisory approval from either Ms. Harris or Ms. Breton regarding any proposed use of CPNI.

9. Further, both Ms. Harris and Ms. Breton oversee the use of opt-in, opt-out, or any other approval requirements or notice requirements (such as notification to the customer of the right to restrict use of, disclosure of, and access to CPNI), contained in the FCC's regulations. Ms. Breton also reviews all notices required by the FCC regulations for compliances therewith.

10. Ms. Harris and Ms. Breton also ensure that the Company enters into confidentiality agreements, as necessary, with any joint venture partners or independent contractors to whom it discloses or provides access to CPNI.

11. Both Ms. Harris and Ms. Breton oversee the completion and submission of the Annual CPNI Certification and Accompanying Statement, which are due on or before March 1 each year. The Annual CPNI Certification includes explanation of any action taken against data brokers, a summary of all of our customer complaints, and an explanation of breaches.

12. There were no complaints received, or actions taken against data brokers, by the Company with respect to an unauthorized disclosure of customer CPNI. To my knowledge, there were no incidences of unauthorized disclosure of customer CPNI.

**Annual 47 C.F.R. § 64.2009(e) CPNI Certification**

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By: _____
E. Clarke Garnett
President and Chief Executive Officer

Virgin Islands Telephone Corporation
d/b/a Innovative Telephone

Date: 2/26/10

## Accompanying Statement to Annual 47 C.F.R. § 64.2009(e) CPNI Certification

Virgin Islands Telephone Corporation d/b/a Innovative Telephone ("the Company") adheres to the following guidelines:[1]

### General Company Policies

The Company uses, discloses, or permits access to CPNI to protect the rights or property of the Company, or to protect users of services it provides and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, such services.

The Company shares CPNI only among the carrier's affiliated entities that provide a service offering to the customer. Except as noted herein, the Company does not share CPNI with its affiliates from which its customer does not take service.

The Company does not use, disclose, or permit access to CPNI to market to a customer service offerings that are within a category of service to which the subscriber does not already subscribe from the Company, unless: (i) the Company has customer approval to do so, or; (ii) such CPNI falls within the exceptions specified in 47 C.F.R. § 64.2005(c), or Section 222(d) of the Communications Act.

### Company Policies Regarding the Notice Required for Use of Customer Proprietary Network Information.

Prior to any solicitation for customer approval, the Company provides notification to the customer of the customer's right to restrict use of, disclosure of, and access to that customer's CPNI.

The Company may seek alternatively either "opt-in" or "opt-out" approval consistent with applicable FCC requirements in order to obtain authorization to use its customer's individually identifiable CPNI for the purpose of marketing communications-related services to that customer. The Company, subject to opt-out approval or opt-in approval, may disclose its customer's individually identifiable CPNI, for marketing communications-related services to: that customer; its agents; its affiliates that provide communications-related services; and its joint venture partners and independent contractors. The Company also permits such persons or entities to obtain access to such CPNI for such purposes. Any such disclosure to or access provided to joint venture partners and independent contractors is undertaken in compliance with Joint Venture/Contractor safeguards set forth in Commission rules.

Except for use and disclosure of CPNI that is permitted without customer approval under 47 C.F.R. § 64.2005, or is otherwise permitted under section 222 of the Communications

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[1] Definitions contained in the Annual 47 C.F.R. § 64.2009(e) CPNI Certificate to which this Accompanying Statement is attached apply here.

Act of 1934, as amended, the Company uses, discloses, or permits access to its customers' individually identifiable CPNI subject to opt-out approval in circumstances approved by the FCC.

**Company Policies Regarding Safeguards for Use of Customer Proprietary Network Information.**

**Marketing** - The Company maintains a record, electronically or in some other manner, of its own and, as may exist, its affiliates' sales and marketing campaigns that use its customers' CPNI. The Company maintains a record of all instances where CPNI was disclosed or provided to third parties, or where third parties were allowed access to CPNI. The record includes a description of each campaign, the specific CPNI that was used in the campaign, and what products and services were offered as a part of the campaign. The Company retains the record for a minimum of one year.

**Customer Service** - The Company has a training program for personnel of when they are and are not authorized to use CPNI. All Company employees are required to follow Company guidelines regarding the confidentiality of CPNI, and the Company will discipline employees for a violation of this policy.

**Customer Management System**

CPNI records are maintained in an electronic format in the Customer Management System with restricted access.

The Company has established a supervisory review process regarding its compliance with applicable FCC rules for outbound marketing situations and maintains records of its compliance with that process for a minimum period of one year. The Company will provide written notice within five business days to the FCC of any instance where the opt-out mechanisms it employs in this process do not work to such a degree that consumers' inability to opt-out is more than an anomaly.

**Customer Initiated Telephone Contact**

The Company does not release CPNI call detail information (such as the date, the called number, the length of the call etc.) based on a customer-initiated telephone contact unless one of the following criteria apply: (1) the customer provides a pre-established password to the Company customer service representative; (2) the Company customer service representative calls the customer back at the telephone number of record in order to disclose any requested specific call detail record information; or (3) the Company customer service representative mails the requested call detail information to the customer's address of record. However if we choose to use passwords, the passwords must not be publicly available or contain personal history information (such as a social security number or a mother's maiden name)

**On-Line Account Access**

On-line account access to CPNI call detail records has not been available.

**Office Location Account Access**

Customers requesting CPNI at a location where they walk into a business office must produce a valid photo identification matching the customer of record name on the customer account.

**Notice Requirements - Account Changes**

The Company has procedures in place to immediately notify a customer of changes to the customer's account, including whenever a password, customer response to a carrier designated back-up means of authentication (*i.e.*, shared secret), online account or address of record is created or changed.

**Notice Requirements- Breach of CPNI**

If an employee becomes aware of any suspected breach of CPNI protections, he or she is instructed to immediately notify the Compliance Officer for the Company who will then be responsible, in consultation with legal counsel, for determining if we have experienced a breach and then notifying law enforcement which includes the Secret Service and the Federal Bureau of Investigation.

**Record of Breaches and Notification**

We also keep a record of all discovered breaches and notifications of law enforcement. We also have procedures in place to notify law enforcement pursuant to FCC rules and procedures.